

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

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|-----------------------------------|---|------------------------|
| UNITED STATES OF AMERICA, |) | |
| Respondent/Plaintiff, |) | |
| vs. |) | No. 3:97-CR-0208-T(01) |
| |) | No. 3:04-CV-0413-D |
| ROBERT A. MACKAY, ID # 03473-063, |) | |
| Movant/Defendant. |) | |

ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are adopted as the Findings and Conclusions of the Court.

Movant-defendant's February 5, 2007 motion to amend his § 2255 petition in light of *Cunningham v. California* is denied, because that decision does not alter the outcome of this § 2255 motion.

SIGNED March 6, 2007.



SIDNEY A. FITZWATER
UNITED STATES DISTRICT JUDGE